UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/52/23 (Part III)
29 September 1997

ORIGINAL: ENGLISH

Fifty-second session
Agenda items 91 and 18

REPORT OF THE SPECIAL COMMITTEE ON THE SITUATION WITH REGARD TO THE IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES*

(covering its work during 1997)

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CHAPTERS V AND VI

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* The present document contains chapters V and VI of the Special Committee's report to the General Assembly. The general introductory chapter will be issued under the symbol A/52/23 (Part I). Chapters II and X also relate to the present chapters. Other chapters of the report will be issued under the symbol A/52/23 (Parts II and IV-VII). The complete report will be issued as Official Records of the General Assembly, Fifty-second Session, Supplement No. 23 A/52/23).

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CHAPTER V

ACTIVITIES OF FOREIGN ECONOMIC AND OTHER INTERESTS WHICH IMPEDE THE IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES IN TERRITORIES UNDER COLONIAL DOMINATION

A. Consideration by the Special Committee

1. At its 1466th meeting, on 16 January 1997, by adopting the suggestions relating to the organization of its work put forward by the Chairman (A/AC.109/L.1856), the Special Committee decided, inter alia, to take up as a separate item the question of activities of foreign economic and other interests which impede the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples and to consider it in its plenary meetings.

2. The Special Committee considered the question at its 1478th and 1483rd meetings, on 18 June and 16 September 1997.

3. In its consideration of the question, the Special Committee took into account the provisions of the relevant resolutions of the General Assembly, including, in particular, resolution 51/140 of 13 December 1996 relating to foreign economic activities in colonial Territories. The Special Committee also took into account the relevant provisions of Assembly resolution 45/33 of 20 November 1990 relating to the thirtieth anniversary of the Declaration on the Granting of Independence to Colonial Countries and Peoples; and resolution 51/146 of 13 December 1996 on the implementation of the Declaration. Additionally, the Special Committee took into consideration the relevant documents of other intergovernmental bodies concerned, to which reference is made in the last preambular paragraph of the resolution it adopted on 16 September (see para. 12).

4. In 1994, the Special Committee, in keeping with its consistent goal of limiting documentation and streamlining its report to the General Assembly, recommended to the Assembly that, in preparing the general working papers on the Territories, the Secretariat should, where applicable, incorporate under separate headings those sections relating to foreign economic and other interests and those on military activities and arrangements in those Territories. By adopting resolution 49/89 of 16 December 1994, the Assembly approved, inter alia, that recommendation.

5. During its consideration of the item, the Special Committee had before it working papers prepared by the Secretariat containing, inter alia, information on economic conditions, with particular reference to foreign economic activities, in the following Territories: Anguilla, Bermuda, Cayman Islands, Montserrat, Turks and Caicos Islands and United States Virgin Islands (A/AC.109/2075, 2076-2078, 2081, 2082 and 2088).

6. At the 1478th meeting, on 18 June, the Chairman drew attention to the various working papers prepared by the Secretariat which contained references to foreign economic activities and to a draft resolution on the item (A/AC.109/L.1864).

7. At the same meeting, statements were made by the Chairman and representatives of India, Côte d'Ivoire and Antigua and Barbuda (see A/AC.109/SR.1478).

8. At the 1483rd meeting, the Chairman drew attention to amendments to draft resolution A/AC.109/L.1864 agreed upon by the Special Committee and the representatives of the States members of the European Union through a process of informal consultations, by which:

(a) The title of the draft resolution, which read:

"Activities of foreign economic and other interests which impede the implementation of the Declaration of the Granting of Independence to Colonial Countries and Peoples in Territories under Colonial Domination"

would be amended to read:

"Economic and other activities which affect the interests of the peoples of the Non-Self-Governing Territories"

(b) The fourth and fifth preambular paragraphs, which read:

"Reaffirming also that any economic or other activity that constitutes an obstacle to the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples and obstructs efforts aimed at the elimination of colonialism is a direct violation of the rights of the inhabitants and of the principles of the Charter and all relevant resolutions of the United Nations,

Reaffirming further that the natural resources are the heritage of the indigenous populations of the colonial and Non-Self-Governing Territories,"

would be amended to read:

"Reaffirming also that any economic or other activity that has a negative impact on the interests of the peoples of the Non-Self-Governing Territories and on the exercise of their right to self-determination in conformity with the Charter of the United Nations and General Assembly resolution 1514 (XV) is contrary to the purposes and principles of the Charter of the United Nations,

Reaffirming further that the natural resources are the heritage of the peoples of the Non-Self-Governing Territories, including the indigenous populations,"

(c) The ninth preambular paragraph, which read:

"Concerned about the activities of those foreign economic, financial and other interests which exploit the natural and human resources of the Non-Self-Governing Territories to the detriment of the interests of the inhabitants of those Territories and deprive them of their right to control the wealth of their countries,"

would be amended to read:

"Concerned about any activities aimed at exploiting the natural and human resources of the Non-Self-Governing Territories to the detriment of the interests of the inhabitants of those Territories,"

(d) Operative paragraphs 3 to 7, which read:

"3. Reiterates that any administering Power that deprives the colonial peoples of Non-Self-Governing Territories of the exercise of their legitimate rights over their natural resources, or subordinates the rights and interests of those peoples to foreign economic and financial interests, violates the solemn obligations it has assumed under the Charter;

"4. Reaffirms its concern about the activities of those foreign economic, financial and other interests which continue to exploit the natural resources that are the heritage of the indigenous populations of the colonial and Non-Self-Governing Territories in the Caribbean, the Pacific and other regions, as well as their human resources, to the detriment of their interests, thus depriving them of their right to control the resources of their Territories and impeding the realization by those peoples of their legitimate aspirations for self-determination and independence;

"5. Reiterates its deep concern about those activities of foreign economic and other interests in the colonial and Non-Self-Governing Territories which are impeding the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in General Assembly resolution 1514 (XV), and the efforts to eliminate colonialism;

"6. Calls once again upon all Governments that have not yet done so to take, in accordance with the relevant provisions of General Assembly resolution 2621 (XXV) of 12 October 1970, legislative, administrative or other measures in respect of their nationals and the bodies corporate under their jurisdiction that own and operate enterprises in colonial and Non-Self-Governing Territories that are detrimental to the interests of the inhabitants of those Territories, in order to put an end to such enterprises and to prevent new investments that run counter to the interests of the inhabitants of those Territories;

"7. Reiterates that the damaging exploitation and plundering of the marine and other natural resources of colonial and Non-Self-Governing Territories by foreign economic interests, in violation of the relevant resolutions of the United Nations, is a threat to the integrity and prosperity of those Territories;"

would be amended to read:

"3. Reaffirms the responsibility of the administering Powers under the Charter to promote the political, economic, social and educational advancement of the Non-Self-Governing Territories, and reaffirms the legitimate rights of their peoples over their natural resources;

"4. Reaffirms its concern about any activities aimed at the exploitation of the natural resources that are the heritage of the peoples of the Non-Self-Governing Territories, including the indigenous populations, in the Caribbean, the Pacific and other regions, as well as

their human resources, to the detriment of their interests, and in such a way as to deprive them of their right to dispose of those resources;

"5. Affirms the need to avoid any economic and other activities which adversely affect the interests of the peoples of the Non-Self-Governing Territories;

"6. Calls once again upon all Governments that have not yet done so to take, in accordance with the relevant provisions of General Assembly resolution 2621 (XXV) of 12 October 1970, legislative, administrative or other measures in respect of their nationals and the bodies corporate under their jurisdiction that own and operate enterprises in the Non-Self-Governing Territories that are detrimental to the interests of the inhabitants of those Territories, in order to put an end to such enterprises;

"7. Reiterates that the damaging exploitation and plundering of the marine and other natural resources of the Non-Self-Governing Territories, in violation of the relevant resolutions of the United Nations, is a threat to the integrity and prosperity of those Territories;"

(e) In operative paragraphs 8 and 9, the words "colonial and Non-Self-Governing Territories" would be replaced by "Non-Self-Governing Territories";

(f) Operative paragraphs 11 to 13, which read:

"11. Requests the Secretary-General to continue, through all means at his disposal, to inform world public opinion of those activities of foreign economic and other interests which impede the implementation of the Declaration;

"12. Appeals to the mass media, trade unions and non-governmental organizations, as well as individuals, to continue their efforts for the implementation of the Declaration;

"13. Decides to follow the situation in the colonial and Non-Self-Governing Territories so as to ensure that all economic activities in those Territories are aimed at strengthening and diversifying their economies in the interest of the indigenous peoples and at promoting the economic and financial viability of those Territories, in order to facilitate and accelerate the exercise by the peoples of those Territories of their right to self-determination and independence;"

would be amended to read:

"11. Requests the Secretary-General to continue, through all means at his disposal, to inform world public opinion of any activity that affects the exercise of the right of the peoples of Non-Self-Governing Territories to self-determination in conformity with the Charter of the United Nations and General Assembly resolution 1514 (XV);

"12. Appeals to the mass media, trade unions and non-governmental organizations, as well as individuals, to continue their efforts to promote the economic well-being of the peoples of the Non-Self-Governing Territories;

"13. Decides to follow the situation in the Non-Self-Governing Territories so as to ensure that all economic activities in those Territories are aimed at strengthening and diversifying their economies in the interest of the peoples of the Non-Self-Governing Territories, including the indigenous populations, and at promoting the economic and financial viability of those Territories;"

9. At the same meeting, the Special Committee adopted the amendments without a vote. The Special Committee adopted draft resolution A/AC.109/L.1864, as a whole, as amended, without a vote (see para. 12).

10. On 29 September, the text of the resolution (A/AC.109/2098) was transmitted to all States, the specialized agencies and other organizations of the United Nations system and to the Organization of African Unity, the South Pacific Forum and the Caribbean Community.

B. Decision of the Special Committee

11. The text of the resolution (A/AC.109/2098) adopted by the Special Committee at its 1483rd meeting, on 16 September 1997, appears in section C below in the form of a recommendation of the Special Committee to the General Assembly.

C. Recommendation of the Special Committee

12. In accordance with decisions taken at its 1466th and 1483rd meetings on 16 January and 16 September 1997, the Special Committee recommends to the General Assembly the adoption of the following draft resolution:

Economic and other activities which affect the interests of the peoples of the Non-Self-Governing Territories

The General Assembly,

Having considered the item entitled "Activities of foreign economic and other interests which impede the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples in Territories under colonial domination",

Having examined the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to the item,[1]

Recalling its resolution 1514 (XV) of 14 December 1960, as well as all its other relevant resolutions, including, in particular, resolution 46/181 of 19 December 1991,

Reaffirming the solemn obligation of the administering Powers under the Charter of the United Nations to promote the political, economic, social and educational advancement of the inhabitants of the Territories under their administration and to protect the human and natural resources of those Territories against abuses,

Reaffirming also that any economic or other activity that has a negative impact on the interests of the peoples of the Non-Self-Governing Territories and

on the exercise of their right to self-determination in conformity with the Charter of the United Nations and General Assembly resolution 1514 (XV) is contrary to the purposes and principles of the Charter,

Reaffirming further that the natural resources are the heritage of the peoples of the Non-Self-Governing Territories, including the indigenous populations,

Aware of the special circumstances of the geographical location, size and economic conditions of each Territory, and bearing in mind the need to promote the economic stability, diversification and strengthening of the economy of each Territory,

Conscious of the particular vulnerability of the small Territories to natural disasters and environmental degradation,

Conscious also that foreign economic investment, when done in collaboration with the peoples of the Non-Self-Governing Territories and in accordance with their wishes, could make a valid contribution to the socio-economic development of the Territories and could also make a valid contribution to the exercise of their right to self-determination,

Concerned about any activities aimed at exploiting the natural and human resources of the Non-Self-Governing Territories to the detriment of the interests of the inhabitants of those Territories,

Bearing in mind the relevant provisions of the final documents of the successive Conferences of Heads of State or Government of Non-Aligned Countries and of the resolutions adopted by the Assembly of Heads of State and Government of the Organization of African Unity, the South Pacific Forum and the Caribbean Community,

1. Reaffirms the right of peoples of Non-Self-Governing Territories to self-determination in conformity with the Charter of the United Nations and General Assembly resolution 1514 (XV), containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, as well as their right to enjoyment of their natural resources and their right to dispose of those resources in their best interest;

2. Affirms the value of foreign economic investment undertaken in collaboration with the people of the Non-Self-Governing Territories and in accordance with their wishes in order to make a valid contribution to the socio-economic development of the Territories;

3. Reaffirms the responsibility of the administering Powers under the Charter to promote the political, economic, social and educational advancement of the Non-Self-Governing Territories, and reaffirms the legitimate rights of their peoples over their natural resources;

4. Reaffirms its concern about any activities aimed at the exploitation of the natural resources that are the heritage of the peoples of the Non-Self-Governing Territories, including the indigenous populations, in the Caribbean, the Pacific and other regions, as well as their human resources, to the detriment of their interests, and in such a way as to deprive them of their right to dispose of those resources;

5. Affirms the need to avoid any economic and other activities which adversely affect the interests of the peoples of the Non-Self-Governing Territories;

6. Calls once again upon all Governments that have not yet done so to take, in accordance with the relevant provisions of General Assembly resolution 2621 (XXV) of 12 October 1970, legislative, administrative or other measures in respect of their nationals and the bodies corporate under their jurisdiction that own and operate enterprises in the Non-Self-Governing Territories that are detrimental to the interests of the inhabitants of those Territories, in order to put an end to such enterprises;

7. Reiterates that the damaging exploitation and plundering of the marine and other natural resources of the Non-Self-Governing Territories, in violation of the relevant resolutions of the United Nations, is a threat to the integrity and prosperity of those Territories;

8. Invites all Governments and organizations of the United Nations system to take all possible measures to ensure that the permanent sovereignty of the peoples of the Non-Self-Governing Territories over their natural resources is fully respected and safeguarded;

9. Urges the administering Powers concerned to take effective measures to safeguard and guarantee the inalienable right of the peoples of the Non-Self-Governing Territories to their natural resources and to establish and maintain control over the future development of those resources, and requests the administering Powers to take all necessary steps to protect the property rights of the peoples of those Territories;

10. Calls upon the administering Powers concerned to ensure that no discriminatory working conditions prevail in the Territories under their administration and to promote in each Territory a fair system of wages applicable to all the inhabitants without any discrimination;

11. Requests the Secretary-General to continue, through all means at his disposal, to inform world public opinion of any activity that affects the exercise of the right of the peoples of Non-Self-Governing Territories to self-determination in conformity with the Charter of the United Nations and General Assembly resolution 1514 (XV);

12. Appeals to the mass media, trade unions and non-governmental organizations, as well as individuals, to continue their efforts to promote the economic well-being of the peoples of the Non-Self-Governing Territories;

13. Decides to follow the situation in the Non-Self-Governing Territories so as to ensure that all economic activities in those Territories are aimed at strengthening and diversifying their economies in the interest of the peoples of the Non-Self-Governing Territories, including the indigenous populations, and at promoting the economic and financial viability of those Territories;

14. Requests the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to continue to examine this question and report thereon to the General Assembly at its fifty-third session.

Notes

[1] The present chapter.

CHAPTER VI

MILITARY ACTIVITIES AND ARRANGEMENTS BY COLONIAL POWERS IN TERRITORIES UNDER THEIR ADMINISTRATION

A. Consideration by the Special Committee

1. At its 1466th meeting, on 16 January 1997, by adopting the suggestions relating to the organization of its work put forward by the Chairman (A/AC.109/L.1856), the Special Committee decided, inter alia, to take up as a separate item the question of military activities and arrangements by colonial Powers on Territories under their administration and to consider it in its plenary meetings.

2. The Special Committee considered the question at its 1478th and 1483rd meetings, on 18 June and 16 September 1997.

3. In its consideration of the question, the Special Committee took into account the provisions of the relevant General Assembly resolutions, including, in particular, resolution 51/146 of 13 December 1996, in paragraph 9 of which the Assembly called upon the administering Powers to eliminate the remaining military bases in the Non-Self-Governing Territories in compliance with the relevant resolutions of the Assembly, and urged them not to involve those Territories in any offensive acts or interference against other States. The Special Committee also took into account Assembly decision 51/427 of 13 December 1996, in paragraph 8 of which the Assembly requested the Special Committee to continue to examine the question and to report thereon to the Assembly at its fifty-second session. Further, the Special Committee took into account the relevant provisions of Assembly resolution 45/33 of 20 November 1990 relating to the thirtieth anniversary of the Declaration on the Granting of Independence to Colonial Countries and Peoples.

4. During its consideration of the item, the Special Committee had before it a working paper prepared by the Secretariat containing, inter alia, information on military activities and arrangements in the following Territories: Bermuda, Guam and United States Virgin Islands (A/AC.109/2075, 2076 and 2086).

5. At the 1478th meeting, on 18 June 1997, the Chairman drew attention to a draft decision on the item (A/AC.109/L.1865).

6. At the same meeting, statements were made by the Chairman and representatives of India, Côte d'Ivoire and Antigua and Barbuda (see A/AC.109/SR.1478).

7. At the 1483rd meeting, on 16 September 1997, the representative of the Russian Federation made a statement (see A/AC.109/SR.1483).

8. At the same meeting, the Special Committee adopted the draft decision, without a vote, with the understanding that the reservations expressed by the representative of the Russian Federation would be reflected in the record of the meeting (see A/AC.109/SR.1483).

9. On 29 September, the text of the decision (A/AC.109/2099) was transmitted to all States, the specialized agencies and other organizations of the United Nations system and to the Organization of African Unity, the South Pacific Forum and the Caribbean Community.

B. Decision of the Special Committee

10. The text of the decision (A/AC.109/2099) adopted by the Special Committee at its 1483rd meeting, on 16 September 1997, appears in section C below in the form of a recommendation of the Special Committee to the General Assembly.

C. Recommendation of the Special Committee

11. In accordance with decisions taken at its 1466th and 1483rd meetings, on 16 January and 16 September 1997, the Special Committee recommends to the General Assembly the adoption of the following draft decision:

Military activities and arrangements by colonial Powers in Territories under their administration

1. The General Assembly, having considered the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to an item on the agenda of the Special Committee entitled "Military activities and arrangements by colonial Powers in Territories under their administration",[1] and recalling its resolution 1514 (XV) of 14 December 1960 and all other relevant resolutions and decisions of the United Nations relating to military activities in colonial and Non-Self-Governing Territories, reaffirms its strong conviction that military bases and installations in the Territories concerned could constitute an obstacle to the exercise by the people of those Territories of their right to self-determination, and reiterates its strong views that existing bases and installations, which are impeding the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, should be withdrawn.

2. Aware of the presence of such bases and installations in some of those Territories, the General Assembly urges the administering Powers concerned to continue to take all necessary measures not to involve those Territories in any offensive acts or interference against other States.

3. The General Assembly reiterates its concern that military activities and arrangements by colonial Powers in Territories under their administration might run counter to the rights and interests of the colonial peoples concerned, especially their right to self-determination and independence. The Assembly once again calls upon the administering Powers concerned to terminate such activities and to eliminate such military bases in compliance with its relevant resolutions.

4. The General Assembly reiterates that the colonial and Non-Self-Governing Territories and areas adjacent thereto should not be used for nuclear testing, dumping of nuclear wastes or deployment of nuclear and other weapons of mass destruction.

5. The General Assembly deplores the continued alienation of land in colonial and Non-Self-Governing Territories, particularly in the small island Territories of the Pacific and Caribbean regions, for military installations. The large-scale utilization of the local resources for this purpose could adversely affect the economic development of the Territories concerned.

6. The General Assembly takes note of the decision of some of the administering Powers to close or downsize some of those military bases in the Non-Self-Governing Territories.

7. The General Assembly requests the Secretary-General to continue to inform world public opinion of those military activities and arrangements in colonial and Non-Self-Governing Territories which constitute an obstacle to the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples.

8. The General Assembly requests the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to continue to examine this question and to report thereon to the Assembly at its fifty-third session.

Notes

[1] The present chapter.